



**William C. Rowland**  
**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**  
**P.O. Box 1404**  
**Alexandria VA 22313-1404**

**MAILED**  
**NOV 16 2009**  
**OFFICE OF PETITIONS**

In re Patent No. 6,892,669 :  
Issue Date: May 17, 2005 :  
Application No. 09/863,338 :  
Filed: May 24, 2001 :  
Attorney Docket No. 001425-108 :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.378(c), filed September 15, 2009, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **GRANTED**.

This patent expired on May 18, 2009 for failure to pay the three and one-half year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries concerning this decision should be directed to Terri Johnson at (571) 272-2991.

Application No. 09/863,338

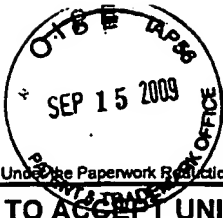
Page 2

The patent file is being forwarded to Files Repository.

A handwritten signature in cursive script that reads "Terri Johnson".

Terri Johnson  
Petitions Examiner  
Office of Petitions

cc: **William C. Rowland, Esq.**  
**1737 King Street, Suite 500**  
**Alexandria, VA 22314**



2009 SEP 17 PM 4:10

Approved for use through 03/31/2012. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

1001425-000108

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (571) 273-8300

**RECEIVED**

SEP 22 2009

**OFFICE OF PETITIONS**

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6892669Application Number 09863338Issue Date 05/17/2005Filing Date 05/24/2001

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent

☐

Is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_

original application number \_\_\_\_\_

original filing date \_\_\_\_\_

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_

filed on \_\_\_\_\_

09/18/2009 DALLEN 00000000 024800 6892669

**CERTIFICATE OF MAILING (37 CFR 1.559)**

I hereby certify that this paper (\*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date

Signature

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Adjusted date: 11/17/2009 LDIEP1  
09/18/2009 DALLEN 00000000 024800 6892669  
01 FC:1559 2620.00 DA  
11/17/2009 LDIEP1 00000001 024800 6892669

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. 980.00 DA  
02 FC:1558 1640.00 DA

## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

| NOT Small Entity                              |             |        | Small Entity                      |             |        |
|-----------------------------------------------|-------------|--------|-----------------------------------|-------------|--------|
| Amount                                        | Fee         | (Code) | Amount                            | Fee         | (Code) |
| <input checked="" type="checkbox"/> \$ 980.00 | 3 ½ yr fee  | (1551) | <input type="checkbox"/> \$ _____ | 3 ½ yr fee  | (2551) |
| <input type="checkbox"/> \$ _____             | 7 ½ yr fee  | (1552) | <input type="checkbox"/> \$ _____ | 7 ½ yr fee  | (2552) |
| <input type="checkbox"/> \$ _____             | 11 ½ yr fee | (1553) | <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (2553) |

MAINTENANCE FEE BEING SUBMITTED \$ 980.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1640.00

## 5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ \_\_\_\_\_

☒ Please charge Deposit Account No. 024800 the sum of \$ 2,620.00

☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 024800

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## 7. OVERPAYMENT

As to any overpayment made please

OR ☒ Credit to Deposit Account No. 24800  
☐ Send refund check

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

## 9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

William C. Rowland

Signature(s) of Petitioner(s)

September 15, 2009

Date

William C. Rowland, Esq..

Typed or printed name(s)

30,888

Registration Number, if applicable

703-836-6620

Telephone Number

1737 King Street, Suite 500

Address

Alexandria, VA 22314

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES

- ☐ Maintenance Fee Payment
- ☐ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐ \_\_\_\_\_